

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

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In re:

**Brian P. Boyd and**

**Giomaris Boyd**

Social Security Numbers: xxx-xx-1169 & xxx-xx-7206

Mailing Address: 311 Five Pine Ct, Mebane, NC 27302-

Debtors.

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Case No. 09-81876- -

Chapter 7

**ORDER CONVERTING CASE  
FROM CHAPTER 7 TO 13**

This matter comes on to be heard upon motion of the Debtors to convert this case from Chapter 7 to Chapter 13, and

THE COURT FINDS THAT:

1. This motion by the Debtors is brought pursuant to 11 U.S.C. 706(a), and Bankruptcy Rules 1017(d) and 9013;
2. Copies of the Motion in this matter have been duly served on the Chapter 7 Trustee and Bankruptcy Administrator;
3. The Debtors in a Chapter 7 case have the absolute right to convert their case, provided that there has been no prior conversion under 11 U.S.C. §§ 1112, 1208 or 1307;
4. There have been no prior conversions in this case;

THEREFORE, IT IS ORDERED THAT:

1. The Debtors' case is hereby converted;
2. The Debtors are hereby ordered to file a Chapter 13 plan within fifteen (15) days of the entry of this Order or the Chapter 13 Trustee shall move to dismiss this case;

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**LIST SERVICE**

**THIS IS TO CERTIFY** that on the below date, the undersigned Deputy Clerk served a copy of the **ORDER CONVERTING CASE FROM CHAPTER 7 TO CHAPTER 13** entered \_\_\_\_\_, by depositing the same, enclosed in a postpaid wrapper, properly addressed to the following parties in interest, at their 1st known addresses as shown below, in a post office or official depository under the exclusive care and custody of the United States Postal Service:

Richard M. Hutson, II Chapter 13 Trustee P.O. Box 3613 Durham, N.C. 27702-3613	Edward C. Boltz The Law Offices of John T. Orcutt Attorney for Debtor 1738 Hillandale Road Suite D Durham, N.C. 27705
DUKE UNIVERSITY HEALTH SYSTEM Attn: Managing Agent 5213 S. Alston Ave Durham, NC 27713-	Bankruptcy Administrator Post Office Box 1828 Greensboro, NC 27402
Brian P. Boyd & Giomaris Boyd 311 Five Pine Ct Mebane, NC 27302-	